

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Digital Television Distributed
Transmission System Technologies

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) MB Docket No. 05-312
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To: Office of the Secretary
Attn: The Commission

REPLY COMMENTS OF COX BROADCASTING, INC.

Cox Broadcasting, Inc. (“Cox”) hereby replies to certain comments filed in the above-captioned Distributed Transmission System (“DTS”) proceeding.¹ Cox believes DTS is a promising innovation and supports the Commission’s efforts to facilitate its implementation. Cox generally supports the DTS rules that the Commission proposed in the *Notice* as reasonably balancing the expeditious introduction of this new technology with the public’s interest in the “fair, efficient, and equitable distribution of radio service.”²

Most parties filing comments addressed in some fashion the issue of DTS stations expanding service by employing multiple transmitters. Most referenced the so-called “DMA method” whereby DTS stations could expand service throughout their DMA. Cox has some

¹ Digital Television Distributed Transmission System Technologies, *Clarification Order and Notice of Proposed Rulemaking*, MB Docket No. 05-312, FCC 05-192 (rel. Nov. 4, 2005) (“*Notice*”).

² 47 U.S.C. §307(b).

concerns about the DMA method and wishes to highlight in particular the comments of MSTV, which stated in relevant part:

On the one hand, it would be inappropriate to allow use of the DMA method to alter the coverage area of a station so as to shift the station's primary focus from its community. On the other hand, it may be appropriate to allow use of DTS to expand service into traditionally underserved rural areas in which populations have historically been insufficient to sustain a viable, full-service over-the-air station.³

Cox agrees with and supports this balanced position. If the Commission ultimately concludes it will apply some version of the DMA method to DTS stations, it should limit service expansion to “traditionally underserved rural areas.”

Restricting expansion to such underserved areas would best ensure that the public’s interest in localism is protected while free over-the-air television service still would be made available to those who most need it. Cox believes the DMA method is too blunt an instrument for general application and would create too many opportunities for encroachment and abuse. Practically all DMAs are irregularly shaped with widely varying population densities, and population centers often are not a DMA’s geographic center. With such differences among DMAs, Cox questions whether the DMA method would create more problems than it would solve. Moreover, unrestricted DTS service expansion under the DMA method would fail to protect the legitimate interests of separate communities inside a DMA and likely lead to a reduction of media voices as MVPDs would opportunistically urge consolidation of programming choices.

MSTV’s proposal strikes Cox as appropriately accounting for these concerns. By restricting expansion to those currently underserved, the potential for abusive encroachment

largely is abated. Under MSTV's approach, viewers receiving few if any free over-the-air television services could benefit from significant DTS innovations. The MSTV refinement accordingly embodies the fair, efficient, and equitable distribution of services that the Commission is bound to preserve and avoids the vagaries associated with the application of blunt regulatory tools.

For these reasons, Cox supports MSTV's position on restricting expansion of DTS service to those areas traditionally underserved.

Respectfully submitted,
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March 7, 2006

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³ MSTV Comments at 11.